



United States Attorney's Office
District of Columbia

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PRESS RELEASE

FOR IMMEDIATE RELEASE

Thursday, March 18, 2010

USAO Public Affairs

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Home Invader Found Guilty of Felony Murder

WASHINGTON - Ernest Heath, 25, was found guilty after a jury trial on Monday, March 8, 2010, of one count of First Degree Felony Murder While Armed, one count of Burglary I while Armed, two counts of Assault with Intent to Kill while Armed and related guns charges before the Honorable Herbert B. Dixon, Jr. of the Superior Court of the District of Columbia, announced United States Attorney Ronald C. Machen Jr. today. Heath faces a mandatory minimum of 30 years in prison when sentenced later this year.

Evidence presented at trial established that on June 25, 2007, the defendant and an unapprehended accomplice participated in an armed invasion of the home of four Guatemalan immigrants at 3701 16th Street, NW. A witness at trial testified that prior to the home invasion the defendant had attempted to recruit him to join in robberies of illegal immigrants in the area, targeting such victims because they would be likely to have cash on their premises and would be unlikely to report the crime to the police.

On the day of the murder, while armed and masked, the defendant and his accomplice approached two of the victims as they stood outside their apartment, then forced them to knock on their door. When the decedent, Samuel Enrique Garcia-Donis, opened the door, all four victims were ordered to the floor. The defendant and his accomplice proceeded to tie up two of the victims and brutalize the decedent, demanding money and eventually finding cash in various locations in the apartment. Fearing for their lives, the victims fought back and one was able to escape to get help. During the struggle, three of the victims were shot, one fatally. The defendant and his accomplice left behind on the crime scene forensic evidence that definitively linked the defendant to the scene. Upon arrest, the defendant admitted to being present on the scene, but claimed that the incident was an aborted drug deal and that he and his accomplice had been victimized and acted in self-defense, contentions that were disproved by evidence recovered from the scene.

In announcing the verdict, U.S. Attorney Machen commended the tireless efforts of Metropolitan Police Department Homicide Detectives Smoky Ward (ret.), James Broadbent, John Bevilacqua, Steven McDonald, and Al Batton, crime scene search officers Ralph Nitz, Robert McCollum, and Richard S. Griffin, and DNA analyst Lindsey Murray from Bode Technology of Lorton, VA. U.S. Attorney Machen further commended U.S. Attorney's Office

Victim Advocate Yvonne Bryant, Paralegals Anthony Griffith and Richard Cheatham, Ron Royal and Josh Ellen from the Litigation Technology Section, and intern Diana Teverovskaya. Finally, U.S. Attorney Machen praised the efforts of Assistant U.S. Attorneys Kevin Flynn and Adam Schwartz, who tried the case, as well as Assistant U.S. Attorneys Lynn Haaland, who assisted in the investigation of the case.

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